

### **REMARKS**

The Office Action dated February 13, 2006, has been reviewed and the Examiner's comments carefully considered. Claims 17-34 remain pending and are submitted for reconsideration. Claim 20 was amended to correct a typographical error. New claims 35-38 have been added.

#### **Specification**

In the Office Action, the specification was objected to for informalities. In response, the specification has been amended to correct the informalities. Reconsideration and withdrawal of the objection is respectfully requested.

#### **Claim Objections**

Claims 27 and 32 were objected to for informalities. In response, claims 27 and 32 have been amended to correct the informalities. Reconsideration and withdrawal of the rejection is respectfully requested.

#### **Claim Rejections under 35 U.S.C. § 102**

Claims 17-28 and 33 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication U.S. 2002/00073773 ("Blair"). The rejection should be withdrawn because Blair does not disclose, teach or suggest each and every element of claims 17-28 and 33.

As background, the claimed invention is directed toward a system for identifying elements in a dataset. The dataset may include structured, semi-structured or unstructured data comprising a plurality of elements from a plurality of data sources. For example, the feedback loop of the claimed invention allows at least five sets of algorithms to apply three independent sets of metadata markings "prior to a user seeing a first query result." (See ¶ 16 of the specification.) The feedback control may be automated or semi-automated and is configured so that the processing level receiving the portion of the group of elements

identifies a new group of elements contained in the portion of the group of elements provided by the feedback component.

As claimed in claims 17 and 20, the system includes a plurality of processing levels. Each processing level is comprised of at least one processor configured to identify a group of elements that satisfy a set of criteria. Each processing level also includes a filter. Each filter is configured to extract a subset of the group of elements identified by the processor that satisfy a selection criteria, thus, providing the subset of elements to a next processing level. In addition, the system comprises a feedback component. The feedback component is configured to provide a feedback loop between any two of the systems processing levels. The feedback component provides a portion of the group of elements identified by one of the processing levels to another one of the processing levels so that the processing level receiving the portion of the group of elements identifies a new group of elements contained in the portion of the group of elements provided by the feedback component. In addition, the feedback component is configured to provide a feedback loop to the filters for each processing level.

Blair does not disclose, teach or suggest each and every element as set forth in independent claims 17 and 20. Specifically, Blair does not disclose a feedback component as claimed in claims 17 and 20. Instead, Blair is a user-driven method for organizing and analyzing information. In Blair, users select the functions that are to be performed and the sequence in which those functions are performed. (See ¶ 0037.) Blair discloses a discrete step of performing a search in a database to generate a group of documents. Blair then allows a user to analyze the generated group of documents using various analytical functions. Instead of a feedback mechanism, Blair teaches that a user selects the functions to be performed and the sequence in which those functions are performed. Blair refers to the possible options the user can select as “work flow.” (See ¶ 0099.) In FIG. 30, Blair discloses examples of workflows a user may create. FIG. 30 is simply a state diagram indicating the manner in which users may create sequences of actions to thereby generate different work flows/processes. (See ¶ 0028.)

In the Office Action, the Examiner appears to improperly rely on Blair's disclosure concerning Fig. 6 to support the position that Blair discloses a feedback component as claimed in claims 17 and 20. However, as shown in Fig. 6, Blair clearly discloses that the results of the "conducted searches" are not fed back to a previous search. In fact, Blair relies on a user to perform filtering and feedback functions. The claimed invention automates these tasks.

The system architecture claimed in claims 17 and 20 provides precise searching through the use of two automated control processes while minimizing required user interaction. Accordingly, Blair does not disclose, teach or suggest each and every element claimed in independent claims 17 and 20. Therefore, reconsideration and withdrawal of the rejection is respectfully requested.

Claims 18-19 and 21-34 depend from one of claims 17 or 20 and are allowable for at least the reasons set forth above without regard to the further patentable limitations contained in these dependent claims. These limitations include for example, as claimed in claims 18 and 25, a utility function that is applied/coupled to each feedback loop. The utility function is designed to maximize results according to a given benefit or utility. Specifically, the utility function measures the value of an intermediate or final output to a given user. This utility function is applied to the claimed feedback component to control and/or modulate the feedback loop process. Thus, the utility function improves overall system performance.

Blair does not teach a utility component as claimed in claim 18 and 25. In the Office Action, the Examiner generally asserts that claims 18 and 25 are anticipated by paragraphs 112-114 of Blair. However, a careful reading of the cited passages does not indicate that a utility function as claimed in claims 18 and 25 is taught by Blair. The utility component of the claimed invention is designed to maximize results according to a given benefit or utility. As claimed in claims 18 and 25, the utility component parses returned data elements and determines which processing levels receive those data elements for further processing. The passages relied on by the Examiner simply discuss the possible user workflow illustrated in FIG. 30. Accordingly, claims 18 and 25 are allowable for this additional reason.

**Claim Rejections under 35 U.S.C. § 103**

Claims 29-32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Blair in view of U.S. Patent Publication 2005/0149494 (“Lindh”). Claim 34 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Blair in view of U.S. Patent No. 5,383,120 (“Zernik”).

As set forth above, Blair does not disclose each and every element of independent claims 17 and 20. Claims 29-32 and 34 depend from one of claims 17 or 20 and are allowable for at least that reason. Further, Lindh and Zernik fail to cure the deficiencies of Blair. Accordingly, reconsideration and withdrawal of the rejection is requested.

**New Claims**

New claims 35-38 were added to further define the invention. No new matter has been added. Support for new claims 35-38 can be found at least on pages 2-14 of the specification. The inventions of claims 35-38 are not disclosed, taught or suggested in the art of record. Allowance of claims 35-38 is respectfully requested.

**Conclusion**

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.


The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are

needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date 5/15/2006

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